

REMARKS

Upon entry of the present amendment, claims 1 and 10 will have been amended. Thus, claims 1-11 will remain pending.

Initially, Applicant would like to make of record a telephone interview conducted between Applicant's undersigned representative and Examiner Kasztejna who is in charge of the present application. Applicant would like to thank the Examiner for his cooperation as exhibited during the above-noted interview as well as his cooperation in scheduling and conducting the above-noted interview.

During the above-noted interview, Applicant's representative first explained to the Examiner the manner in which the axes of the first and second lens units are aligned. In particular, Applicant's representative directed the Examiner's attention to Fig. 4 and noted that Fig. 3, which shows the first objective lens system 810 and the second objective lens system 850 is not particularly relevant to the specific limitations of claims 1 and 10. Claims 1 and 10 are directed to the first and second optical systems which each include a plurality of lens elements rather than to the first and second objective systems as illustrated in Fig. 3. In this regard, Applicant's representative directed the Examiner's attention to, *inter alia*, paragraph 48 of the present application.

As a result of the above-noted discussion, the Examiner indicated that there was no longer any uncertainty in his mind as to which of the showings of Figs. 3 and 4 were more relevant to the present claims.

During a further discussion of the claim language, the Examiner and Applicant's representative agreed that the language of claims 1 and 10 could be even further clarified and that such clarification would also even further enable the claims to overcome each of the

outstanding prior art rejections. In this regard, Applicant's representative and the Examiner both agreed that if the first and second lens barrels are engaged, then the lens elements of the first and second lens barrels would be aligned along a common axis. Applicant's representative also agreed that the first and second common axes actually define the common axis. As noted above, the Examiner is respectfully thanked for his cooperation during the above-noted interview as well as for his constructive suggestions regarding claim language and his clarification of exactly what was the basis for his uncertainty as to the intent of claims 1 and 10.

In accordance with the discussion during the above-noted interview, by the present response, Applicant has amended claim 1 and claim 10 (in somewhat different terms) to more clearly define the features of Applicant's invention. In this regard, Applicant submits that, based on this amendment, it is clear that first and second lens units and the first and second optical systems recited in claims 1 and 10 are directed to the barrels shown in Fig. 4, which can be engaged with each other. Accordingly, it is respectfully submitted that, at least in view of the above-noted amendments, Applicant's claims are no longer subject to rejection under 35 U.S.C. § 112, second paragraph. Thus, Applicant respectfully request reconsideration and withdrawal of the outstanding rejection.

In the outstanding Official Action, the Examiner rejected claims 1 and 2 under 35 U.S.C. § 102(b) as anticipated by SIEGMUND (U.S. Patent No. 4,588,294). Applicant respectfully traverses the above-noted rejection.

As presently amended, the first lens unit of the first lens barrel and the second lens unit of the second lens barrel are engageable so as to be aligned along a common axis, where the first common axis and the second common axis define the common axis. It is quite clear that the first optical system 29 of SIEGMUND and the second optical system 34 of SIEGMUND do not

satisfy at least the above-noted recitation. Accordingly, at least for this reason, it is submitted that claims 1 and 2 are clearly patentable over SIEGMUND. During the above-noted interview, the Examiner agreed with Applicant's representative that SIEGMUND was no longer an appropriate reference with respect to the claims of the present application.

In the outstanding Official Action, the Examiner rejected claims 1-11 under 35 U.S.C. § 102(b) as being anticipated by DOSAKA (U.S. Patent No. 5,128,808). Applicant respectfully traverses the above-noted rejection and submits that it is inappropriate, particularly with respect to the claims pending in the present application.

In setting forth the rejection, the Examiner asserted that DOSAKA discloses an objective optical system including a first lens unit 9a and a second lens unit 7a. The first lens unit includes a first lens barrel 9 and the second lens unit includes a second lens barrel 7. The Examiner identified the first and second optical systems as being 6 and 4.

However, the plurality of lens elements of each optical system identified by the Examiner are not aligned along first and second common axes, as those are defined in the present claims. Moreover, each of the optical systems 6 and 4 comprise a single lens rather than a plurality of lens elements aligned in a direction of the first common optical axis and a second common optical axis.

It would be more appropriate, in considering the optical systems 6 and 4 of the DOSAKA, to regard them as aligned in a first plane rather than along common optical axis (i.e., a plane perpendicular to the optical axis). In other words, DOSAKA does not disclose at least first and second lens units having first and second lens barrels, respectively, each including a plurality of lens elements aligned in a direction of first and second common optical axes, respectively, as defined in the present application.

During the above-noted interview with the Examiner, the Examiner also agreed that the DOSAKA reference does not provide an adequate or sufficient basis for the rejection of any of the claims, particularly as herein amended.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of each of the outstanding rejections together with an indication of the allowability of all the claims pending in the present application. Such action is respectfully requested and is now believed to be appropriate and proper.

SUMMARY AND CONCLUSION

Applicant has made a sincere effort to place the present application in condition for allowance and believes that he has now done so. Applicant has made of record a telephone interview conducted with the Examiner in charge of the present application. Applicant has further amended the claims and has discussed the amendments and submitted a record of the above-noted interview.

Applicant has discussed each of the references cited by the Examiner in the outstanding rejections and has shown how they are inadequate and insufficient to either anticipate or render unpatentable any of the claims in the present application. Applicant has, in this regard, discussed the language of the claim and has shown that the claim language is clear, definite and accurately describes Applicant's invention. Applicant has further discussed the explicit recitations of the claims and has shown how the features recited in the claims are not taught, disclosed nor rendered obvious by either of the references relied upon by the Examiner. Accordingly, Applicant has provided a clear evidentiary basis supporting the patentability of all the claims in the present application and respectfully requests an indication to such effect, in due course.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions or comments regarding this response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
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